

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

In the Matter of:

DAVID D. BARTUSIAK

FAA Order No. 94-12

Served: April 28, 1994

Docket No. CP93WP0042

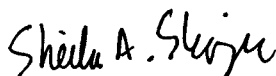
ORDER DISMISSING APPEAL

On April 7, 1994, Complainant filed a motion to dismiss Respondent David D. Bartusiak's notice of appeal for failure to perfect. Respondent filed his notice of appeal on December 15, 1993, from the oral initial decision of Administrative Law Judge Burton S. Kolko, issued on December 7, 1993. Respondent has failed to perfect that appeal by filing an appeal brief in accordance with 14 C.F.R. § 13.233(c). Respondent's appeal brief was due on or before January 26, 1994. Respondent has not shown good cause for his failure to perfect the appeal. Accordingly, Respondent's appeal is subject to dismissal under 14 C.F.R. § 13.233(d)(2).

THEREFORE, IT IS ORDERED THAT:

Respondent's appeal is dismissed.

DAVID R. HINSON, ADMINISTRATOR
Federal Aviation Administration



SHEILA A. SKOJEC*
Acting Manager
Adjudications Branch

Issued this 28th day of April, 1994.

*Issued under authority delegated to the Chief Counsel and the Assistant Chief Counsel for Litigation by Memorandum dated October 27, 1992, under 49 U.S.C. § 322(b) and 14 C.F.R. § 13.202 (see 57 Fed. Reg. 58,280 (1992)) and redelegated by the Assistant Chief Counsel for Litigation to the Manager, Adjudications Branch, by Memorandum dated August 6, 1993.